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TRUST TERRITORY OF THE PACIFIC ISLANDS

Working paper prepared by the Secretariat

CONTENTS

		Paragraphs	Page
I.	GENERAL	1 - 2	3
	Land and people	1 - 2	3
II.	POLITICAL ADVANCEMENT	3 - 29	3
	A. General political structure	3 - 12	3
	B. Territorial government	13 - 20	5
	C. State or municipal governments	21 - 24	6
	D. Civil service	25 - 28	6
	E. Judiciary	29	7
III.	ECONOMIC ADVANCEMENT	30 - 55	7
	A. General economy	30 - 34	7
	B. Public finance	35 - 37	8
	C. International trade	38	8

CONTENTS (continued)

		Paragraphs	Page
	D. Land	39	8
	E. Agriculture and forestry	40	8
	F. Marine resources	41 - 44	8
	G. Industry, construction and public works	45 - 50	9
	H. Tourism	51 - 53	10
	I. Transportation and communications	54 - 55	10
IV.	SOCIAL ADVANCEMENT	56 - 62	10
	A. Human rights	56	10
	B. Medical and health services	57 - 61	11
	C. Labour	62	11
V.	EDUCATIONAL ADVANCEMENT	63 - 70	11
	A. General	63 - 64	11
	B. Primary and secondary education	65	12
	C. Higher education	66 - 67	12
	D. Vocational training	68 - 69	12
	E. Teacher training	70	12
VI.	SPECIAL ISSUES	71 - 73	13
	A. Environment	71	13
	B. War damage claims	72 - 73	13

TRUST TERRITORY OF THE PACIFIC ISLANDS*

I. GENERAL

Land and people

1. The Trust Territory of the Pacific Islands consists of three archipelagos: the Marshalls, the Carolines and the Marianas. The island of Guam in the Marianas is not a part of the Trust Territory but is an unincorporated Territory of the United States of America. The three archipelagos include more than 2,100 islands and atolls scattered over an area of some 7.8 million square kilometres of the western Pacifc, north of the equator. The islands and atolls of the Trust Territory have a combined land area of approximately 1,854 square kilometres.

2. According to the 1986 estimates, 1/ the population of the Territory totalled 168,431. The distribution of the population in the Trust Territory was as follows: Federated States of Micronesia, 94,534; Marshall Islands, 39,060; Northern Mariana Islands, 21,065; and Palau, 13,772. In 1989, according to the current annual report of the Administering Authority, population estimates for Palau were 14,206. 2/

II. POLITICAL ADVANCEMENT

A. General political structure

3. Basic information on the general political structure of the Trust Territory of the Pacific Islands is contained in the working paper prepared for the 1989 session of the Special Committee (A/AC.109/998, paras. 3-13). Supplementary information is presented in the working paper submitted to the Trusteeship Council at its fifty-seventh session (T/L.1274, paras. 118-128).

4. In a letter dated 19 December 1989 addressed to the Secretary-General, 3/ the Permanent Representative of the United States to the United Nations requested the holding of a special session of the Trusteeship Council to consider the dispatch of a visiting mission to observe a plebiscite in Palau on the Compact of Free Association, to be held on 6 February 1990.

5. At its twentieth special session, held on 8 January 1990, the Trusteeship Council adopted resolution 2192 (S-XX), whereby it decided to send the above visiting mission.

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* Unless otherwise noted, the information contained in the present report has been derived from the current annual report of the Administering Authority to the Trusteeship Council (see note 2) or from previous reports. At the fifty-seventh session of the Trusteeship Council, a number of petitioners provided additional information to the Council on the situation in the Trust Territory (see T/PV.1675, 1676 and 1680).

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6. According to the report of the United Nations Visiting Mission to Observe the Plebiscite in Palau, Trust Territory of the Pacific Islands, February 1990, of a total of 7,621 valid votes cast, 4,633 (60.8 per cent) were cast in favour of the Compact and 2,988 (39.2 per cent) were cast against. The Compact did not pass because of a constitutional stipulation that a 75 per cent majority was required. 4/

7. With respect to the Marshall Islands, an election was held in December 1989 to fill 45 seats for the constitutional convention scheduled to be held in the Marshall Islands within the next year. 5/

8. With respect to the Federated States of Micronesia, press reports indicate that a plebiscite was held in March 1989 in which the majority of voters favoured the holding of a constitutional convention. 6/ In a subsequent election in March 1990, 31 delegates were elected as representatives to the constitutional convention scheduled to be held in the Federated States of Micronesia in July 1990.

9. The Federated States of Micronesia Pre-Convention Committee began meeting in March 1990 to draft a set of rules and procedures for the convention and to prepare a budget and arrange for accommodation, facilities and equipment for the convention. The eight-member pre-convention committee is composed of two constitutional convention delegates from each of the four states of the Federated States of Micronesia. 7/

10. With respect to the Northern Mariana Islands, section 902 of the Commonwealth Covenant requires regular consultations to be held between the Governments of the Northern Mariana Islands and the United States on all matters affecting their relationship. The talks are called "section 902 consultations". Since the coming into effect of the Commonwealth Covenant in the Northern Mariana Islands, the talks have focused mainly on the issue of self-rule and the limits of United States federal power in the Northern Mariana Islands. In his inaugural address, Governer Larry Gierrero stated that he would continue the section 902 consultations to safeguard commonwealth sovereignty guaranteed in the Covenant. 8/

11. Press reports in March 1990 indicated that the Governor of the Northern Mariana Islands had stated that the role of United States federal courts would be the issue on which his Government would focus in the section 902 consultations, which were scheduled to begin in April 1990. 9/ In March 1990, Mr. Timothy W. Glidden, representative of the President of the United States for section 902 consultations, held preliminary discussions in the Northern Mariana Islands. 9/

Political education

12. According to the report of the United Nations Visiting Mission to Observe the Plebiscite in Palau, Trust Territory of the Pacific Islands, February 1990, 4/ the plebiscite was preceded by a political education programme carried out by a Political Education Committee, which represented a broad spectrum of Palauan public opinion. The Visiting Mission concluded that it had no doubt that in general, the people of Palau had understood the purpose of the plebiscite and the question they were being asked. It considered that the people were by that time very familiar

with the electoral process. Inevitably, not every individual had a full grasp of every detail of the Compact and the related agreements, but it was clear that Palauans had at least an adequate understanding of the underlying issues and of the implications of the Compact for their future. The Mission concluded that that was due in part to the political education programme, in part to the cumulative effect of previous plebiscites and to the activities of influential leaders on both sides, and in part to the high level of political awareness of the electorate.

B. Territorial government

Legislatures

13. Legislative power in the Federated States of Micronesia rests with the Congress, which consists of 11 members elected for two-year terms from congressional districts in each State apportioned by population and 4 members elected for four-year terms on the basis of State equality.

14. In the Marshall Islands, legislative power is vested in the Nitijela, which consists of 33 members and is assisted by a Council of Chiefs. A general election is held every four years.

15. In the Northern Mariana Islands, the Commonwealth Legislature is a bicameral body consisting of a Senate and a House of Representatives. The Senate has 9 members and the House of Representatives has 14.

16. The legislative power in Palau is vested in the Olbiil Era Kelulau (National Congress), consisting of a House of Delegates and a Senate, whose members are elected for a four-year term. The third Olbiil Era Kelulau took office on 1 January 1989. There are 16 delegates, one from each of the States of Palau. Senators represent geographical districts determined according to population by a reapportionment commission. Reapportionment plans are drawn every eight years and prescribe the number of senators to be elected during the period the plan is in effect. At present, there are 14 senators consisting of 4 from the northern part of Palau, 9 from Koror and 1 from southern islands.

Executive

17. In the Federated States of Micronesia, executive power is vested in a President who is elected by the Congress for a term of four years. The Vice-President, elected in the same manner, serves for the same term of office.

18. In the Marshall Islands, executive authority is vested in the Cabinet, whose members are collectively responsible to the Nitijela. The Cabinet consists of the President, who must be a member of the Nitijela, and from 6 to 10 other members of the Nitijela, appointed as ministers by the Speaker on the nomination of the President.

19. Executive authority in the Government of the Northern Mariana Islands is vested in a Governor, who is assisted by a jointly elected Lieutenant-Governor and

by heads of executive departments. According to press reports, in November 1989, republican candidates Mr. Larry I. Guerrero and Mr. Benjamin T. Manglona were elected Governor and Lieutenant-Governor, respectively. Of the 7,532 votes cast, they received 4,037 or 542 more votes than their democratic opponents. 10/

20. Executive power in Palau is vested in a President who is elected for a four-year term. The Vice-President, elected in the same manner, is an ex officio member of the Cabinet. A Council of Chiefs advises the President on matters concerning traditional laws and customs. Elections for the national government were held in Palau on 2 November 1988 and Mr. Ngiratkel Etpison was elected President of Palau.

C. State or municipal governments

21. In the Federated States of Micronesia, Kosrae, Pohnpei, Truk and Yap State now operate under State Constitutions. Each state has a governor, who is the chief executive, as well as legislative and judicial branches.

22. The Constitution of the Marshall Islands recognizes the right of each populated atoll or island to a system of local government.

23. The Commonwealth of the Northern Mariana Islands is divided into four municipal jurisdictions, each headed by an elected mayor.

24. Palau is composed of 16 States, which were formerly clusters of loosely linked hamlets.

D. Civil service

25. The Constitution of the Federated States of Micronesia provides for the establishment of executive departments by statute. The President, with the advice and consent of the Congress, appoints the principal officers of those departments and such other officers as may be provided for by statute.

26. Under the Marshall Islands Constitution, the civil service comprises the employees necessary to assist the Cabinet in exercising executive authority. The Constitution also contains provisions for the establishment of a civil service commission. According to press reports, in 1988, a total of 2,424 persons (or one third of the work-force) was employed by the Government of the Marshall Islands. 11/

27. The Constitution of the Northern Mariana Islands provides for a civil service system, which operates under the Civil Service Commission. The Commission administers personnel policies for the Government.

28. The Constitution of Palau provides for the appointment of national officers by the President with the advice and consent of the Senate. According to the current annual report, 1,663 persons were employed by the Government of Palau during the period under review.

E. Judiciary

29. Information on the judiciary in the Trust Territory of the Pacific Islands is contained in the working paper prepared for the 1989 session of the Special Committee (A/AC.109/998, paras. 52-56) and the working paper submitted to the Trusteeship Council at its fifty-seventh session (T/L.1274, paras. 34-40).

III. ECONOMIC ADVANCEMENT

A. General economy

30. Basic information on the general economy of the Trust Territory of the Pacific Islands is contained in the working paper submitted to the Trusteeship Council at its fifty-seventh session (T/L.1274, paras. 41-47) and in the working paper prepared for the 1989 session of the Special Committee (A/AC.109/998, paras. 59-63). Additional information is set out below.

31. According to press reports, in his state of the Commonwealth report in January 1990, the Governor of the Northern Mariana Islands reported that over the past eight years, economic growth had increased by over 377 per cent. Local revenues had increased from $14.2 million in 1982 to $67.7 million in 1989. The Governor further stated that the gross island product had increased from $137 million to $512 million in fiscal year 1988/89, i.e., from 30 September 1988 to 1 October 1989. He further stated that the Northern Mariana Islands was faced with infrastructure problems caused by the growing economy, which he viewed as the result of success, and not failure. Tourism continued to be the leading economic activity in the Northern Mariana Islands. 12/

32. In February 1990, Typhoon Koryn hit the Northern Mariana Islands, causing widespread destruction. Subsequently, the President of the United States declared the Northern Mariana Islands a disaster area and ordered the United States Federal Emergency Management Agency (FEMA) to co-ordinate United States Government funding to pay part of the cost of repairing damage to public property. 13/

33. The Congress of the Federated States of Micronesia confirmed a national budget of $20 million for 1988/89. 14/

34. According to the Federated States of Micronesia Public Information Office, the policy board of the Federated Development Authority (FDA) made more than $12 million available for investment within the Federated States of Micronesia. FDA was scheduled to begin accepting applications for loans in 1989 from the Investment Development Fund (IDF), which was created pursuant to United States legislation approving the Compact of Free Association between the Federated States of Micronesia and the United States. IDF is a $20 million Fund created in 1986 to compensate the Federated States of Micronesia for the loss of certain trade and taxation advantages that had originally been included in the Compact of Free Association. In addition to the initial $20 million, the United States Congress has authorized an additional appropriation of up to $40 million if the impact of the loss of taxation and trade benefits exceeds $20 million. According to the same

source, the Federated States of Micronesia has begun the process of documenting its losses in order to claim those additional funds. 15/

B. Public finance

35. General information on public finance in the Trust Territory of the Pacific Islands is contained in the working paper prepared for the 1989 session of the Special Committee (A/AC.109/998, paras. 70-74). Additional information is given below.

36. According to press reports, the Northern Mariana Islands Senate approved a $113.3 million budget for 1989/90. The budget was signed into law by the Governor on 16 February 1990. 16/

37. According to an official publication of the Federated States of Micronesia, the Sixth Federated States of Micronesia Congress approved a $24 million budget, of which $20.9 million was for operations of the Executive, Legislative and Judiciary branches of the Government and $2.4 million for construction of airstrips and aircraft for the outer islands. 17/

C. International trade

38. During 1988/89, exports from Palau were valued at $556,000; imports for the same period amounted to approximately $5 million.

D. Land

39. According to the 1986 report on the Trust Territory, titles to all public lands previously held by the High Commissioner of the Trust Territory had been transferred to the four constitutional Governments.

E. Agriculture and forestry

40. An account of agriculture and forestry in the Trust Territory appears in the working paper prepared by the secretariat for the fifty-seventh session of the Trusteeship Council (T/L.1274, paras. 55-59).

F. Marine resources

41. Information on marine resources in Palau appears in the working paper prepared for the fifty-seventh session of the Trusteeship Council (T/L.1274, paras. 60-64).

42. In the Marshall Islands, a giant clam hatchery begun as a pilot project three years ago, is now producing thousands of giant clams. It is the first hatchery to harness successfully solar and wind power to operate the equipment used at the facility. 6/

43. According to press reports, a boat operated as a joint venture between the Marshall Islands Development Authority and a United States fisherman and which had been purchased at a cost of $3 million with the aid of a United States Government loan, had caught tuna worth $850,000 on its first voyage. Officials of the Marshall Island Government expect the boat to pay for itself within a year and have indicated that they intend to purchase at least two more boats. 18/

44. In 1988, the Federated States of Micronesia approved three foreign fishing agreements with Japanese fishing companies which were expected to earn $1.5 million in revenue. In Kosrae, a $250,000 fish processing plant began operations in February 1988. According to press reports, the Pacific Fisheries Development Foundation awarded grants totalling $322,000 for marine research in the Federated States of Micronesia.

G. Industry, construction and public works

45. With the diversification of Palau's economic base, the number of private enterprises has continued to grow. In 1989, there was a total of 2,275 business establishments, compared with 1,902 in 1988. The Foreign Investment Board of Palau approved 13 business applications and rejected 6. Construction, transportation and services accounted for most of the private activities.

46. In 1986, the National Power Plant at Aimeliik (IPSECO power plant) began operations, reaching 50 per cent of the population. During the period under review, it operated continuously without major problems. The monthly average energy generated was 3.8 million kilowatts, with an average daily peak load of 6,400 kW. According to the current annual report, the older power station at Malakal has been refurbished and capacity output has been maintained.

47. The Palau Water Branch provides water 16 hours a day to Koror, the capital, and nearby areas, currently providing water to some 10,000 persons living within the service area. The daily amount pumped remains insufficient to meet demands. According to the current annual report, the primary reasons for the shortfall are leakage, poor water conservation and misuse of water resources. A project valued at $1.3 million to modify the water system is expected to be completed in 1990.

48. The sewerage system in Palau now serves some 4,000 to 5,000 people living in Koror or adjacent areas. The Trust Territory Government has provided $158,000 for repairs to the system. The United States Environmental Protection Agency (EPA) has funded a study costing $69,500 and has provided $484,250 for a rural sanitation project that is currently under way.

49. In the Northern Mariana Islands, press reports indicate that a project valued at $53 million will be undertaken to enlarge and modernize the Saipan Commercial Port. 19/

50. According to a survey restricted to Majuro, the capital of the Marshall Islands, there were 127 service-type businesses, 122 trade stores, 25 industrial enterprises and only a few extractive-type businesses (extractive refers to

businesses, such as those involved in agriculture, aquaculture and fishing, that depend on the land or ocean for their products). In addition to the government-sponsored copra processing mill, the industrial sector included a machine shop, a few construction companies, some small boat-building operations, some handicraft production, a print shop, a few bakeries and several tailor shops. 20/

H. Tourism

51. The Micronesian Regional Tourism Council, a private, non-profit organization, serves as a co-ordinating agency for promotional and other tourist-related activities in the Trust Territory.

52. During the period under review, the number of tourists to Palau, mostly from Japan and the United States, appeared to increase. During the first nine months of 1989, arrivals totalled 21,591, compared with 22,675 arrivals in 1988. Hotel and motel accommodations increased from 323 rooms in 1988 to 386 rooms in 1989.

53. Tourism continued to be the leading economic activity in the Northern Mariana Islands. During 1989, tourism increased by 29 per cent. More than 75 per cent of the visitors were from Japan. 12/ In his state of the Commonwealth report in January 1990, the Governor of the Northern Mariana Islands reported that the number of tourist arrivals had risen to 300,000 in 1989. 21/

I. Transportation and communications

54. Basic information on transportation and communications in the Trust Territory of the Pacific Islands is given in the working paper prepared for the fifty-seventh session of the Trusteeship Council (T/L.1274, paras. 71-74). Additional information is given below.

55. In the Marshall Islands, a total of 26 ships with a total displacement of more than 3.5 million metric tons was reported to have been transferred to the Marshall Islands Ship Registry. 22/ There are a total of 29 airfields or airstrips in the Marshall Islands. 11/

IV. SOCIAL ADVANCEMENT

A. Human rights

56. The inhabitants of the Trust Territory are guaranteed, inter alia, the following basic human rights and fundamental freedoms as set forth in the Trust Territory Code and the constitutions of each of the national and state governments that make up the Trust Territory: freedom of religion, of speech and of the press; the right of assembly and the right to petition; no slavery or involuntary servitude; protection against unreasonable search and seizure; no deprivation of life, liberty or property without due process of law; no discrimination on account

of race, sex or language; writ of habeas corpus; protection of trade and property rights; and due recognition of local customs. The right of petition is granted and inhabitants have petitioned the United Nations and the Administering Authority.

B. Medical and health services

57. A description of the medical and health services of the Trust Territory of the Pacific Islands is contained in the working paper submitted to the Trusteeship Council at its fifty-seventh session (T/L.1274, paras. 77-87).

58. According to press reports, Mercy International Health Services, which had managed the main hospital in the Marshall Islands is phasing out its operation as Marshall Islanders move into top management positions. A Marshall Islander has taken over as administrator of the 88-bed facility and other Marshall Islanders are in charge of the nursing services, nurses' continuing education and a special health programme. 23/

59. In the Northern Mariana Islands, the Dr. Torres Hospital was officially closed in November 1986, when the new 74-bed Commonwealth Health Center was opened.

60. The Marshall Islands medical sailboat was put into service in August 1988. The vessel provides health care to more than 100 communities spread over two dozen coral atolls within 1,207 kilometres of Majuro.

61. In recent years, Palau has pursued efforts to control illicit drugs by enforcing drug laws and providing neighbouring islands with information on drug smuggling in the region. In 1988, the Palau Drug-Free Education Program was funded for three years in an effort to reduce alcohol- and drug-related problems. According to the current annual report, international drug traffic was significantly reduced when 13 Palauans were arrested in August 1989. They subsequently pleaded guilty to trafficking in heroin and marijuana.

C. Labour

62. Labour conditions in the Trust Territory are discussed in the working paper submitted to the Trusteeship Council at its fifty-seventh session (T/L.1274, paras. 92 and 93).

V. EDUCATIONAL ADVANCEMENT

A. General

63. According to the 1987 report, the Trust Territory Office of Education was closed after the transfer of federal education programmes to the constitutional Governments. Each Government is considered a "state agency" in its own right and administers programmes according to the terms of each programme.

64. Public expenditure on education in Palau amounted to $671 per pupil.

B. Primary and secondary education

65. Information on primary and secondary education in the Trust Territory of the Pacific Islands is contained in the working paper submitted to the Trusteeship Council at its fifty-seventh session (T/L.1274, paras. 104-108).

C. Higher education

66. In 1989, approximately 700 Trust Territory students were enrolled in various colleges and universities abroad, mostly on the United States mainland, Hawaii, Guam, Japan and Australia. Financial assistance for those students comes from United States federal aid, Palau national scholarships, Pacific Island student loans, family contributions and part-time employment.

67. According to press reports, during a meeting of representatives from the Marshall Islands, the Federated States of Micronesia and Palau, a treaty was signed to continue financial support to the College of Micronesia. Under the treaty, the Marshall Islands and Palau will each contribute $226,700 for each of the next two years. The Government of the Federated States of Micronesia will provide $800,100 for the same period. The contributions are based on student enrolments at the school's campuses in the Marshall Islands, the Federated States of Micronesia and Palau. In addition, the Government of the Marshall Islands is providing the campus located there with a $300,000 grant for renovation of facilities. The Majuro branch of the college consolidated its continuing education, school of nursing and land grant programmes into one campus in 1987. Since then, the college has continued to expand its use of the former hospital in Majuro. 24/

D. Vocational training

68. In Palau, the main educational institution providing vocational training is the Micronesia Occupational College (MOC). It offers associate in arts degrees, associate in science degrees and certificates of achievement. It has three major divisions: (a) general studies, (b) occupational education and (c) trades and industries. MOC has a staff of 107, including 35 instructors and 2 assistant instructors. In 1989, it had a total enrolment of 361 students.

69. Under the current Treaty Agreement, the Governments of the Federated States of Micronesia, Palau and the Marshalls contribute a total of $1.5 million annually to the College of Micronesia (see also para. 123). MOC receives $725,000 of that amount. Its other major revenue sources are United States grant funds and federal programmes. Tuition payments and other revenues make up the remainder.

E. Teacher training

70. For an account of teacher training in the Trust Territory, see the working paper submitted to the Trusteeship Council at its fifty-seventh session (T/L.1274, para. 111).

VI. SPECIAL ISSUES

A. Environment

71. According to press reports, a study has begun in the Marshall Islands to examine the feasibility and the environmental impact of a plan to dump United States garbage in its lagoons. Under the plan, 2.5 million metric tons of non-toxic garbage would be dumped each year, earning the Government of the Marshall Islands $50 million per year. Other reports indicate that the Government of the Marshall Islands has not yet accepted the proposal and has agreed only to an environmental impact and feasibility study to be carried out by engineers and other experts from the United States company suggesting the plan. Environmentalists in the region have expressed serious concern about the plan. 25/

B. War damage claims

72. War damage claims by the inhabitants of the Trust Territory fall into two broad categories: claims against the Governments of the United States of America and Japan mainly for damages sustained by the indigenous inhabitants during the Second World War (Title I claims); and post-war claims against the Government of the United States (Title II claims).

73. All war damage claims under Title II have already been settled. According to the current annual report, payment of Title I war damage claims is nearing completion.

Notes

1/ 1986 Trust Territory of the Pacific Islands, October 1, 1985 to September 30, 1986, thirty-ninth annual report to the United Nations on the administration of the Trust Territory of the Pacific Islands, transmitted by the United States of America to the United Nations pursuant to Article 88 of the Charter of the United Nations (Department of the Interior).

2/ 1989 Trust Territory of the Pacific Islands, October 1, 1988 to September 30, 1989, forty-second annual report to the United Nations on the administration of the Trust Territory of the Pacific Islands, transmitted by the United States of America to the United Nations pursuant to Article 88 of the Charter of the United Nations (Department of the Interior).

3/ T/1940.

4/ For the report of the mission, see Official Records of the Trusteeship Council, Fifty-seventh Session, Supplement No. 1 (T/1942 and Corr.1).

5/ Radio Australia News Summary, 30 December 1989.

6/ Pacific Daily News, 6 March 1989.

Notes (continued)

7/ Ibid., 26 March 1990.

8/ Ibid., 10 January 1990.

9/ Ibid., 16 March 1990.

10/ Ibid., 6 November 1989.

11/ Marshall Islands Journal, 5 May 1989.

12/ Pacific Daily News, 5 January 1990.

13/ Radio Australia News Summary, 8 February 1990.

14/ Pacific Daily News, 13 June 1988.

15/ The National Union (Federated States of Micronesia), 30 July 1989.

16/ Pacific Daily News, 5 and 16 February 1990 and 5 March 1990.

17/ The National Union (Federated States of Micronesia), June 1989.

18/ Radio Australia News Summary, 26 May 1989.

19/ Pacific Daily News, 12 January 1990.

20/ Extracted from the publication Island Entrepreneurs, published by the East West Center, reported in the Marshall Islands Journal, 5 May 1989.

21/ Pacific Daily News, 8 January 1990.

22/ Radio Australia News Summary, 5 January 1990.

23/ Pacific Daily News, 30 October 1989.

24/ Ibid., 1 September 1989.

25/ Radio Australia News Summary, 20 June 1989.